

**ADMINISTRATION & LEGISLATION COMMITTEE  
MINUTES OF JUNE 8, 2009  
OAKLAND, CA**

Chair Green convened the meeting of the Administration and Legislation Committee at 11:01 AM. The roster of attendance is attached.

**1.0 PLEDGE OF ALLEGIANCE**

**2.0 PUBLIC COMMENT**

There was no public comment.

**3.0 CONSENT CALENDAR**

**3.1 Minutes of May 11, 2009 Meeting**

A motion to approve the consent calendar was made by Javandel; a second was made by Sbranti. The motion passed unanimously.

**4.0 ADMINISTRATIVE MATTERS**

**4.1 Draft FY 2009/2010 Budget**

Swanson requested the Committee to recommend that the Board approve the budget for FY 2009/2010. He stated that total revenues and expenditures are expected to increase from approximately \$54.4 million in FY 2008/2009 to an estimated \$78.7 million in FY 2009/2010. He added that the administrative component of the proposed FY 2009/2010 budget is being held to a 1.1 percent growth over the previous fiscal year. He also said that CMA's staffing has reached an adequate and sustainable level given the anticipated work over the coming year. A motion to approve staff recommendation was made by Haggerty; a second was made by Worthington. The motion passed unanimously.

**4.2 2010 Countywide Bicycle Plan Update**

Stark informed the Committee that the proposed update of the Countywide Bicycle Plan in FY 09/10 is estimated to cost \$165,000 for staff and consultants. This funding will be provided through a combination of \$130,000 of Measure B funds with a CMA match of \$35,000. The required \$35,000 match is included in CMA's recommended Fiscal Year 2009/2010 budget. She requested the Committee to recommend that the Board: 1) adopt Resolution Number 09-04 authorizing the execution of a grant funding agreement with ACTIA, committing the necessary non-Measure B match, and stating the assurance to complete the project, and 2) authorize the Executive Director or his designee to enter into any agreements necessary to provide professional services for the preparation of the update of a Countywide Bicycle Plan not to exceed \$110,000. A motion to approve staff recommendation was made by Haggerty; a second was made by Green. The motion passed unanimously.

**5.0 CONTRACTS, AGREEMENTS & CONSTRUCTION STATUS REPORTS**

**5.1 Tri-Valley SMART Corridor: Center-to-Center Program: Communications Hub**

Yarjani stated that the MTC provided \$200,000 necessary for the first phase of the I-580 Tri-Valley Center to Center Program Communications Hub in October 2007. In May 2009, MTC approved and allocated \$600,000 in additional funds for the second phase of this project. Yarjani requested the Committee to recommend that the CMA Board: (1) Authorize the Executive Director, or his designee, to execute all necessary funding agreements with the Metropolitan Transportation Commission to receive \$600,000 in funds recently programmed to this project; and (2) Authorize the

Executive Director, or his designee, to negotiate and execute all necessary agreements required for the implementation of the second phase of the Center to Center Program Communications Hub for the Tri-Valley SMART Corridor for an amount not to exceed \$540,000. . A motion to approve staff recommendation was made by Sbranti; a second was made by Harper. The motion passed unanimously.

## **5.2 Grand/MacArthur Corridor Transit Enhancement Project: Amend Construction Manager's Contract**

Yarjani stated that on July 31, 2008, the CMA Board awarded the Grand/MacArthur Corridor Transit Enhancement Project construction contract to Ray's Electric, the lowest responsive bidder. Construction started on September 22, 2008 and the construction phase has been extended for many months due to design changes required by the City of Oakland which has resulted in additional construction management activities for this project. He requested the Committee to recommend that the Board authorize the Executive Director, or his designee, to negotiate and execute an amendment to the existing contract with S&C Engineers, Inc., to increase the amount of their contract by \$127,605 for the construction management related services. A motion to approve staff recommendation was made by Worthington; a second was made by Harper. The motion passed unanimously.

## **6.0 LEGISLATION/PUBLIC AFFAIRS**

### **6.1 Sacramento Report**

Fay reviewed the legislative update from the CMA's Sacramento representative. He discussed the Governor's Proposed Transportation Cuts as well as LAO's suggested transportation cuts. Discussions ensued on the possible effects of gas tax cut. The Committee members expressed dismay over these proposed cuts. Mayor Green suggested that a CMA resolution be made recommending that the State Legislature submit at a general election the question of whether to call a convention to revise the State Constitution on all fiscal matters. Harper concurred. This item was for information only.

### **6.2 Washington, DC Report**

Fay reviewed the legislative update from the CMA's Washington, DC representative. He stated that the House Transportation and Infrastructure Committee continue to work on moving the reauthorization of SAFETEA-LU forward. He said that Chairman Oberstar is intent on meeting the September 30<sup>th</sup> expiration deadline. He also stated that the House Energy and Commerce Committee approved H.R. 2454 – the American Clean Energy and Security Act (ACESA) on May 21<sup>st</sup>. The legislation would cap greenhouse gas emissions and require the use of more renewable electricity.

### **6.3 AB 672 (Bass)**

Fay stated that AB 672 would establish a process for local and regional agencies to apply for a Letter of No Prejudice (LONP) for any project using Prop 1B funds. If approved by the entity administering the Prop 1B program, the LNOP will serve to ensure the project sponsor will be reimbursed for expending its own funds for any bond-funded component of the project. He added that, given the uncertainty of the state's budget and financial markets, Speaker Bass has introduced this measure to give local entities a means to deliver projects even if the bond funds are not available. However, the April 21 amendments raise some issues with how useful this measure would be. In order to apply for the LONP, the bill currently requires that the project component seeking the LONP must already be completed. Amendments are expected to address this confusing requirement. He requested the Committee to recommend that the CMA Board support AB 672 if amended. A motion to approve staff recommendation was made by Leider; a second was made by Worthington. The motion passed unanimously.

**6.4 AB 1175 (Torlakson)**

Fay stated that AB 1175 was approved by the Assembly Appropriations Committee with amendments that should be in print next week. This bill adds the Antioch and Dumbarton bridges to the toll bridge seismic safety program. In addition, this bill would authorize BATA to submit regional measures to increase tolls to the voters. He requested the Committee to recommend that the CMA Board support this bill. A motion to approve staff recommendation was made by Haggerty; a second was made by Worthington. The motion passed unanimously.

**6.5 SB 391 (Liu)**

Fay stated that SB 391 bill requires Caltrans to update its state transportation plan by December 31, 2015 and every five years thereafter. This bill also requires that the plan address how the state will meet the transportation infrastructure and mobility needs of California, attain air pollution standards required by federal and state law, and address greenhouse gas emissions reductions needed from the transportation sector. He requested the Committee to recommend that the CMA Board support this bill. A motion to approve staff recommendation was made by Javandel; a second was made by Chiang. The motion passed unanimously.

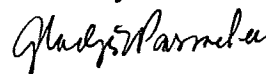
**7.0 STAFF AND COMMITTEE MEMBER REPORTS**

There was no report.

**8.0 ADJOURNMENT/NEXT MEETING:**

The meeting was adjourned at 11:30 a.m. The next meeting will be held on July 13, 2009 at 11:00 a.m.

Attest By:



Gladys V. Parmelee  
Board Secretary



# ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

1333 BROADWAY, SUITE 220 • OAKLAND, CA 94612 • PHONE: (510) 836-2560 • FAX: (510) 836-2185  
E-MAIL: mail@accma.ca.gov • WEB SITE: accma.ca.gov

## ADMINISTRATION AND LEGISLATION COMMITTEE MEETING ROSTER OF MEETING ATTENDANCE

June 8, 2009

ACCMA Committee Meeting Room  
1333 Broadway, Suite 220, Oakland CA 94612

MEMBERS	Initials	ALTERNATES	Initials
Mark Green, Chair –City of Union City			
Greg Harper, Vice Chair – AC Transit		H.E. Christina Peeples - AC Transit	
Scott Haggerty – County of Alameda			
Councilmember John Chiang – City of Piedmont		Garrett Keating – City of Piedmont	
Farid Javandel – City of Albany		Peggy Thomsen – City of Albany	
Marshall Kamena – City of Livermore		Marjorie Leider – City of Livermore	MRL
Tim Sbranti - City of Dublin		Jennifer Hosterman – City of Pleasanton	JH
Nate Miley – County of Alameda			
Larry Reid – City of Oakland			
Kriss Worthington – City of Berkeley		Tom Bates – City of Berkeley	

CMA STAFF	Initials	CMA STAFF & CONSULTANTS	Initials
Dennis Fay, Executive Director		Gladys Parmelee – Exec Asst & Board Secretary	
Frank Furger, Chief Deputy Director		Liz Brazil – Contracts Administrator	
Dick Swanson, Director of Finance & Admin.		Steve Haas – Senior Transportation Engineer	
Yvonne Chan – Accounting Manager		John Hemiup - Senior Transportation Engineer	
Christina Muller –Administrative Manager		Vivek Bhat - Assoc . Transportation Engineer	
Cyrus Minoofar - Manager of ITS		Jacki Taylor – Engineering Assistant	
Matt Todd - Manager of Programming		Laurel Poeten - Engineering Assistant	
Ray Akkawi – Manager of I-580 Corridor			
Beth Walukas – Manager of Planning			
Diane Stark, Senior Transportation Planner		Pamela Schock Manager WRBD	
Saravana Suthanthira, Senior Trans. Planner		Zack Wasserman – WRBD	
Bijan Yarjani – Senior Transportation Engr.		Neal Parish - WRBD	

	NAME	JURISDICTION/ ORGANIZATION	PHONE #	E-MAIL
1.	Keith Flavelle	Public	(925) 200-1631	K5Flavelle@aol.com
2.	Tina Spencer	ACTransit	510.891.4754	tspencer@actransit.org
3.	Dan Ayala	ALAC Bos #1	925-551-6995	
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				
16.				
17.				
18.				
19.				
20.				
21.				
22.				
23.				
24.				

***This page intentionally left blank.***